

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
NEWARK DIVISION**

IN RE: PROTON-PUMP INHIBITOR PRODUCTS LIABILITY LITIGATION (NO. II) This Document Relates to: ALL ACTIONS	2:17-md-2789 (CCC)(MF) (MDL 2789) SEPTEMBER 13, 2019 STATUS CONFERENCE JOINT STATUS REPORT AND PROPOSED AGENDA
---	---

The parties hereby submit their Joint Status Report and Proposed Agenda in advance of the September 13, 2019 Status Conference.

I. STATUS REPORT

At the time of this filing, approximately 13,456 potentially related actions with 13,484 plaintiffs are pending in federal court.

Currently, approximately 124 related state court actions/plaintiffs are pending in the Delaware Superior Court, New Castle County, before Judge Eric M. Davis, 68 related state court actions/plaintiffs are pending in the Circuit Court of Cook County, Illinois before Judge Brendan A. O' Brien, 47 related state court actions/plaintiffs are pending in New Jersey state courts in Bergen, Middlesex and Camden Counties before various Judges, 1 related action/plaintiff is pending in New York Supreme Court in New York County, and 22 related actions/plaintiffs are pending in the Court of Common Pleas, Hamilton County, Ohio before Judge Sylvia Hendon.

II. PROPOSED AGENDA FOR SEPTEMBER 13, 2019 STATUS CONFERENCE

The Parties have met and conferred and propose the following Agenda:

- Plan to Select Bellwether Cases;

- Amending CMO 21 following entry of a bellwether plan so as to extend appropriate related deadlines;
- Tolling Issues / Defendants' Motions To Dismiss Related to Cases on the Tolling Agreement [Dkt. Nos. 284, 314/317, 336, 339, 365, 366, 368, 369, 370, 371, 386, 393, 429, and 430, as well as Dkt. No. 9 in 2:19-cv-07421];
- Pending Plaintiff-Specific Defendants' Motions to Compel, Plaintiffs' Motions to Withdraw, and Plaintiffs' Motion to Sever (*Averhart*);
- Defendants' Previous Request for Clean-Up CMO;
- PEC's Motions to Challenge Privilege Claims [Dkt. Nos. 388 and 433];
- Report on Depositions;
 - Status of deposition scheduling;
 - PSC's forthcoming requests for additional Letters Rogatory to take foreign witness depositions and to Amend the Letters Rogatory for the foreign witness, Barry Arnold;
 - PSC's request to know which former employee foreign witnesses who the PSC has requested to depose are not represented by AstraZeneca and their last known addresses so that the PSC can contact them as non-parties; and
 - PSC's request to know whether for those former employee foreign witnesses now represented by AstraZeneca, if AstraZeneca will accept service under the Hague, and if not, provide the witnesses' address;
- Update on Document Productions;
 - AstraZeneca's SAS Productions;
 - Clinical Trial Information; and
 - Supplementation of Regulatory Files;
- Defendants' Request that Court Enforce JPML Limitations on MDL Scope and Exclude Gastric Cancer Cases and Plaintiffs' Request that such cases remain in the MDL [Dkt. Nos. 372, 385 and 446]; and
- PSC's Forthcoming Request to Add Additional PSC Members.

III. TELEPHONIC MONITORING OF THE CASE MANAGEMENT CONFERENCE

As instructed by the Court, counsel has arranged for a telephonic conference line so interested attorneys can monitor the proceedings. Dial-in information is as follows:

Dial In: (888) 808-6929

Access Code: 9945288#

Note that the status conference is scheduled to begin at 10:30 a.m. eastern.

Dated: September 11, 2019